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UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA

v.

ERIC ALLEN

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CASE NO. 3:11-00151

**MOTION TO SET TRIAL DATE AND EXCLUDE TIME UNDER SPEEDY TRIAL**

COMES NOW the United States of America, by and through the undersigned Assistant United States Attorney, and pursuant to Title 18, United States Code, Section 3156(h)(7), moves this Court to set this matter with a plea deadline of on or after March 25, 2013, and a trial deadline of on or after April 2, 2013. The parties jointly move under 18 U.S.C. § 3161(h)(1) and (h)(7)(A) for the time period from the appointment of defense counsel, Patrick Frogge, on April 17, 2012 until the plea deadline date set by the court to be excluded under the Speedy Trial Act because ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial. The parties are currently in plea negotiations. This Court should find that the time for plea negotiations are "other proceedings concerning the defendant." See 18 U.S.C. § 3161(h)(1); *United States v. Dunbar*, 357 F.3d 582, 593 (6th Cir. 2004). This Court should also find that a trial prior to the date set by this Court would not be in the best interests of the public or the defendant because the parties need additional time to prepare. See 18 U.S.C. § 3161(h)(7). In particular the defense needs time to investigate whether grounds exist for a suppression motion before deciding on how to proceed.

*DUNBAR*  
This motion  
is GRANTED for the  
reasons set forth in  
the motion.

*↓ U.S. District Court  
Nashville, TN - 25-5*